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Attorneys for Intervening Plaintiffs,
 McAllister Towing of Connecticut, LLC
 McAllister Towing of New York, LLC
 McAllister Towing of Philadelphia, Inc.
 McAllister Towing of Baltimore, Inc.
 Portland Tugboat LLC
 McAllister Towing of Narragansett Bay, LLC
 d/b/a Providence Steamboat Company
 Tugz Company, LLC

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

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 Billybey Marina Services, LLC,

Plaintiff,

v.

Bouchard Transportation Co., Inc., *et al.*
in personam,

and

M/V ELLEN S. BOUCHARD, *et al.*, *in rem*

Defendants.

McAllister Towing of Connecticut, LLC
 McAllister Towing of New York, LLC
 McAllister Towing of Philadelphia, Inc.
 McAllister Towing of Baltimore, Inc.
 Portland Tugboat LLC
 McAllister Towing of Narragansett Bay, LLC
 d/b/a Providence Steamboat Company
 Tugz Company, LLC

Case No.: 20-cv-04922-LTS-JLC

IN ADMIRALTY

**ORDER GRANTING
 INTERVENING PLAINTIFFS'
 UNOPPOSED/ EX PARTE
 MOTION TO INTERVENE
 PURSUANT TO FED. R. CIV.
 P. 24(a)(2), FOR ISSUE OF
 WARRANTS OF ARREST
 FOR M/T EVENING STAR,**

Intervening Plaintiffs
v.

Bouchard Transportation Co., Inc.,

Defendant *in personam*,

M/T EVENING STAR, IMO No. 9629768,
BARGE B. No. 210, BARGE B. No. 230, BARGE B.
No. 250, BARGE B. No. 252, BARGE B. No. 260,
BARGE B. No. 262, BARGE B. No. 282, BARGE B.
No. 284, , in rem, their respective equipment, tackle,
etc., *et al.*

Defendants *in rem*

* **BARGE B. NO. 210, BARGE B.**
* **NO. 230, BARGE B. NO. 250,**
* **BARGE B. NO. 252, BARGE B.**
* **NO. 260, BARGE B. NO. 262,**
* **BARGE B. NO. 282, AND**
* **BARGE B. NO. 284, AND**
* **FOR ALTERNATIVE**
* **SERVICE OF ARREST**
* **WARRANTS**
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Upon the motion of intervening Plaintiffs McAllister Towing of Connecticut, LLC, McAllister Towing of New York, LLC, McAllister Towing of Philadelphia, Inc., McAllister Towing of Baltimore, Inc., Portland Tugboat LLC, McAllister Towing of Narragansett Bay, LLC d/b/a Providence Steamboat Company and Tugz Company, LLC (collectively, “Intervening Plaintiffs”) for this Court to (1) order their intervention as of right under Fed. R. Civ. P. 24(a)(2), providing for filing of their accompanying Verified Intervening Complaint; (2) issue warrants of arrest of the M/T EVENING STAR, BARGE B. No. 210, BARGE B. No. 230, BARGE B. No. 250, BARGE B. No. 252, BARGE B. No. 260, BARGE B. No. 262, BARGE B. No. 282 and BARGE B. No. 284, *in rem* (“Vessels”) pursuant to Federal Supplemental Admiralty and Maritime Rule C; and (3) order alternative service due both to the U.S. Marshal’s unavailability and because, the Vessels have been, or soon will be, arrested and are presently, or soon will be, in the hands of National Maritime Services, Inc. (“NMS”) as Substitute Custodian, and any opposition or briefing or argument hereto, this Court hereby GRANTS the motion, and ORDERS as follows:

1. Intervening Plaintiffs shall have leave to intervene in this action;

2. Their Intervening Complaint, filed with their motion, shall be docketed in this action;

3. The Clerk shall issue the Warrants of Arrest for the M/T EVENING STAR, BARGE B. No. 210, BARGE B. No. 230, BARGE B. No. 250, BARGE B. No. 252, BARGE B. No. 260, BARGE B. No. 262, BARGE B. No. 282 and BARGE B. No. 284, *in rem*; and

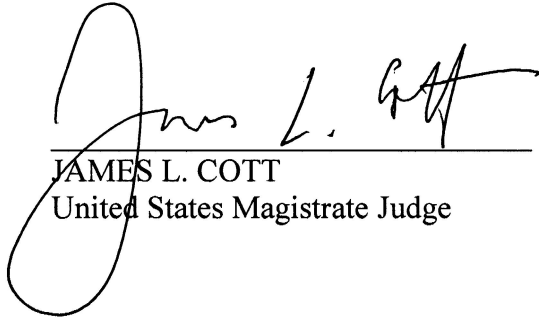
4. Considering that the Vessels are, or soon will be, arrested and NMS is, or soon will be, serving as the substitute custodian, the Warrants of Arrest are effectively served on the Vessels when issued by the Clerk and posted on the Court's docket (and thereby served by NEF to counsel of each party in this action).

5. The Vessels may be released from seizure without further Order of this Court if the United States Marshals Service receives written authorization from the attorney who requested the seizure, and that such attorney advises that s/he has conferred with all counsel representing all of the parties to the litigation and they consent to the release, if the attorney files the consent and the Court has not entered an Order to the contrary.

SO ORDERED.

Dated: New York, New York.

July 16, 2020.



JAMES L. COTT
United States Magistrate Judge